

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**
 18 U.S.C. § 2243(b) – Sexual Abuse of a Ward;  
 18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;  
 18 U.S.C. § 2241(a) – Aggravated Sexual Abuse;  
 18 U.S.C. § 242 – Deprivation of Rights Under Color of Law

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

**DEFENDANT - U.S.**

DARRELL WAYNE SMITH

**FILED**

DISTRICT COURT NUMBER

4:23-cr-00110-YGR

**MAY 22 2025**

CLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

Northern California District

**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FBI

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District
☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

4:23-cr-00110-YGR

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form Patrick D. Robbins

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Andrew Paulson

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

**Maximum Penalties**

**18 U.S.C. § 2243(b) – Sexual Abuse of a Ward (Counts One, Eight, Nine, Ten, Twelve, Fourteen)**

15 years' imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release term: 5 years  
Mandatory Special Assessment: \$5,100

**18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact (Counts Two, Three, Four, Five, Eleven, Thirteen)**

2 years' imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release term: 5 years  
Mandatory Special Assessment: \$5,100

**18 U.S.C. § 2241(a) – Aggravated Sexual Abuse (Count Six)**

Life imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release Term: 5 years  
Mandatory Special Assessment: \$5,100

**18 U.S.C. § 242 – Deprivation of Rights Under Color of Law (Count Seven)**

Life imprisonment  
\$250,000 fine  
Restitution  
Minimum Supervised Release Term: 5 years  
Mandatory Special Assessment: \$100

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

MAY 22 2025

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
V.

23-CR-110 YGR

DARRELL WAYNE SMITH,  
a/k/a "Dirty Dick Smith,"

DEFENDANT(S).

SECOND SUPERSEDING INDICTMENT

18 U.S.C. § 2243(b) – Sexual Abuse of a Ward;  
18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;  
18 U.S.C. § 2241(a) – Aggravated Sexual Abuse;  
18 U.S.C. § 242 – Deprivation of Rights Under Color of Law

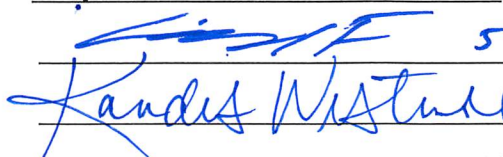
A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 22nd day of

May, 2025

 5/22/25 (Cindy C. Fan)  
Clerk  
5/22/2025

Bail, \$ No Process

Hon. Kandis A. Westmore, US Magistrate Judge

FILED

MAY 22 2025

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PATRICK D. ROBBINS (CABN 152288)  
Acting United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 4:23-cr-00110-YGR
	)	
Plaintiff,	)	
	)	VIOLATIONS:
v.	)	18 U.S.C. § 2243(b) – Sexual Abuse of a Ward;
	)	18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;
DARRELL WAYNE SMITH,	)	18 U.S.C. § 2241(a) – Aggravated Sexual Abuse;
	)	18 U.S.C. § 242 – Deprivation of Rights Under Color
a/k/a “Dirty Dick Smith,”	)	of Law
	)	
Defendant.	)	OAKLAND VENUE

SECOND SUPERSEDING INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Superseding Indictment:

1. The Federal Correctional Institution, Dublin (“FCI Dublin”) was a federal prison in Alameda County, California, within the Northern District of California.

2. The defendant DARRELL WAYNE SMITH, a/k/a “Dirty Dick Smith,” was employed at FCI Dublin as a correctional officer, and was sworn to uphold the Constitution of the United States.

3. F.C., S.L.H., L.J., and C.A.H., individuals who are known to the Grand Jury, were female inmates at FCI Dublin and were serving prison sentences.



1 COUNT ONE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

2 1. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
3 if fully set forth here.

4 2. On a date between on or about August 1, 2016, and on or about November 30, 2016, in  
5 the Northern District of California, the defendant,

6 DARRELL WAYNE SMITH,

7 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with F.C., a person who was in  
8 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when  
9 he digitally penetrated F.C.'s genital opening while they were in F.C.'s cell at FCI Dublin, in violation  
10 of 18 U.S.C. § 2243(b).

11 COUNT TWO: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

12 3. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
13 if fully set forth here.

14 4. On a date between on or about May 1, 2019, and on or about August 31, 2020, in the  
15 Northern District of California, the defendant,

16 DARRELL WAYNE SMITH,

17 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
18 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
19 defendant, when he touched S.L.H.'s buttocks while they were in S.L.H.'s cell at FCI Dublin, in  
20 violation of 18 U.S.C. § 2244(a)(4).

21 COUNT THREE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

22 5. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
23 if fully set forth here.

24 6. On a date between on or about October 1, 2020, and on or about March 31, 2021, in the  
25 Northern District of California, the defendant,

26 DARRELL WAYNE SMITH,

27 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
28 was in official detention and under the custodial, supervisory, and disciplinary authority of the

1 defendant, when he touched S.L.H.'s genitalia and groin and caused S.L.H. to touch his genitalia while  
2 they were in S.L.H.'s cell at FCI Dublin, in violation of 18 U.S.C. § 2244(a)(4).

3 COUNT FOUR: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

4 7. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
5 if fully set forth here.

6 8. On a date between on or about April 1, 2021, and on or about May 31, 2021, in the  
7 Northern District of California, the defendant,

8 DARRELL WAYNE SMITH,

9 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
10 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
11 defendant, when he touched S.L.H.'s inner thigh and groin while they were in S.L.H.'s cell at  
12 FCI Dublin, in violation of 18 U.S.C. § 2244(a)(4).

13 COUNT FIVE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

14 9. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
15 if fully set forth here.

16 10. On a date between on or about April 1, 2021, and on or about May 31, 2021, in the  
17 Northern District of California, the defendant,

18 DARRELL WAYNE SMITH,

19 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
20 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
21 defendant, when he touched S.L.H.'s buttocks while they were in S.L.H.'s cell at FCI Dublin, in  
22 violation of 18 U.S.C. § 2244(a)(4).

23 COUNT SIX: (18 U.S.C. § 2241(a) – Aggravated Sexual Abuse)

24 11. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
25 if fully set forth here.

26 12. On a date between on or about April 1, 2021, and on or about May 31, 2021, in the  
27 Northern District of California, the defendant,

DARRELL WAYNE SMITH,

while in FCI Dublin, a Federal prison, did knowingly cause S.L.H. to engage in a sexual act, when he digitally penetrated S.L.H.'s anal opening, by use of force against S.L.H., in violation of 18 U.S.C. § 2241(a).

COUNT SEVEN: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

13. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as if fully set forth here.

14. On a date between on or about April 1, 2021, and on or about May 31, 2021, in the Northern District of California, the defendant,

DARRELL WAYNE SMITH,

while acting under color of law, willfully deprived S.L.H. of the right not to be subject to cruel and unusual punishment, a right secured and protected by the Constitution and the laws of the United States, when he digitally penetrated S.L.H.'s anal opening without her consent and without legitimate penological purpose. The defendant's conduct resulted in bodily injury and included aggravated sexual abuse.

All in violation of 18 U.S.C. § 242.

COUNT EIGHT: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

15. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as if fully set forth here.

16. On a date between on or about March 1, 2020, and on or about June 30, 2020, in the Northern District of California, the defendant,

DARRELL WAYNE SMITH,

while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he digitally penetrated L.J.'s genital opening while they were in L.J.'s cell at FCI Dublin, in violation of 18 U.S.C. § 2243(b).

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1 COUNT NINE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

2 17. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
3 if fully set forth here.

4 18. On a date between on or about December 1, 2020, and on or about May 17, 2021, in the  
5 Northern District of California, the defendant,

6 DARRELL WAYNE SMITH,

7 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in  
8 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when  
9 he digitally penetrated L.J.'s genital opening while they were in a laundry room at FCI Dublin, in  
10 violation of 18 U.S.C. § 2243(b).

11 COUNT TEN: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

12 19. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
13 if fully set forth here.

14 20. On a date between on or about December 1, 2020, and on or about May 17, 2021, in the  
15 Northern District of California, the defendant,

16 DARRELL WAYNE SMITH,

17 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in  
18 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when  
19 he digitally penetrated L.J.'s genital opening while they were in a laundry room at FCI Dublin, in  
20 violation of 18 U.S.C. § 2243(b).

21 COUNT ELEVEN: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

22 21. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
23 if fully set forth here.

24 22. On a date between on or about September 1, 2020, and on or about January 31, 2021, in  
25 the Northern District of California, the defendant,

26 DARRELL WAYNE SMITH,

27 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H., a person who  
28 was in official detention and under the custodial, supervisory, and disciplinary authority of the



1 defendant, when he touched C.A.H.'s breast and buttocks in a laundry room at FCI Dublin, in violation  
2 of 18 U.S.C. § 2244(a)(4).

3 COUNT TWELVE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

4 23. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
5 if fully set forth here.

6 24. On a date between on or about September 1, 2020, and on or about January 31, 2021, in  
7 the Northern District of California, the defendant,

8 DARRELL WAYNE SMITH,

9 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.A.H., a person who  
10 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
11 defendant, when he digitally penetrated C.A.H.'s genital opening while they were in a laundry room at  
12 FCI Dublin, in violation of 18 U.S.C. § 2243(b).

13 COUNT THIRTEEN: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

14 25. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
15 if fully set forth here.

16 26. On a date between on or about September 1, 2020, and on or about January 31, 2021, in  
17 the Northern District of California, the defendant,

18 DARRELL WAYNE SMITH,

19 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H., a person who  
20 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
21 defendant, when he touched C.A.H.'s breast and buttocks while they were in a laundry room at  
22 FCI Dublin, in violation of 18 U.S.C. § 2244(a)(4).

23 COUNT FOURTEEN: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

24 27. Paragraphs 1 through 3 of this Superseding Indictment are re-alleged and incorporated as  
25 if fully set forth here.

26 28. On a date between on or about September 1, 2020, and on or about January 31, 2021, in  
27 the Northern District of California, the defendant,

28 DARRELL WAYNE SMITH,

1 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.A.H., a person who  
2 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
3 defendant, when he penetrated C.A.H.'s genital opening with his penis, while they were in a janitor's  
4 closet at FCI Dublin, in violation of 18 U.S.C. § 2243(b).

5  
6 DATED: May 22, 2025

A TRUE BILL.

7  
8   
9 FOREPERSON

10 PATRICK D. ROBBINS  
11 Acting United States Attorney

12 /s/ Andrew Paulson  
13 ANDREW PAULSON  
14 SAILAJA PAIDIPATY  
15 Assistant United States Attorneys